

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

**PREPARED BY:** David M. Abramson, Planner III

**SUBJECT:** ZB(TXT) 12-1-05 /06-19/Griffin Landmark Building

**AFFECTED DISTRICT:** Griffin Corridor District – Commerce Zone (Use Zone #4)

**TITLE OF AGENDA ITEM:** AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE, FLORIDA, BY AMENDING SECTION 12-32.304 – PERMITTED, RESTRICTED AND PROHIBITED USES OF THE GRIFFIN CORRIDOR DISTRICT BY AMENDING THE PERMITTED USES IN THE GRIFFIN COMMERCE ZONE 4 DISTRICT TO ALLOW RESIDENTIAL USES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The petitioner (The Spear Group) proposes a mixed-use development (building) that consists of approximately 36,411 sq. ft. of office use(s), approximately 1,084 sq. ft. of commercial use(s), and 24 high-rise unit(s). In order for the petitioner to develop the subject site with the above mentioned use(s), an amendment must be done to Section 12-32.304 of the Town of Davie Land Development Code to permit residential use(s) within the Griffin Corridor, Commerce Zone (Use Zone 4). Additionally, the petitioner is requesting this amendment in accordance with the “Transit Oriented Corridor” policies that were based on URS’s “State Road 7 Charrette Master Plan” approved by the Town Council through Resolution #05-236 on September 7, 2005.

### **PREVIOUS ACTIONS:**

At the December 6, 2006 Town Council meeting, ZB (TXT) 12-1-06 Griffin Landmark Building was approved on the first reading. **(Motion carried 5-0)**

At the December 20, 2006 Town Council meeting, ZB (TXT) 12-1-06 Griffin Landmark Building was tabled on the second reading to the January 3, 2007 meeting because a required advertisement was not placed in the newspaper. The Town Council then reconsidered all development applications associated with this Griffin Landmark Building to the January 17, 2007 meeting. **(Motion carried 5-0)**

At the January 3, 2007 Town Council meeting, ZB (TXT) 12-1-06 Griffin Landmark Building was tabled to the January 17, 2007 meeting to provide staff with enough time to re-advertise the text amendment application in the newspaper and update all development applications that were reconsidered. **(Motion carried 5-0)**

**CONCURRENCES:**

At the November 8, 2006 Local Planning Agency meeting, Mr. Stevens made a motion, seconded by Ms. Turin, to approve. **(Motion carried 4-0, Mr. Bender was absent)**

**FISCAL IMPACT:** n/a

Has request been budgeted? n/a

**RECOMMENDATION(S):** Staff recommends approval of the Ordinance.

**Attachment(s):** Ordinance, Justification Letter

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE TOWN OF DAVIE, FLORIDA, BY AMENDING SECTION 12-32.304 – PERMITTED, RESTRICTED AND PROHIBITED USES OF THE GRIFFIN CORRIDOR DISTRICT BY AMENDING THE PERMITTED USES IN THE GRIFFIN COMMERCE ZONE 4 DISTRICT TO ALLOW RESIDENTIAL USES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That Section 12-32.304, of the Land Development Code of the Town of Davie, Florida (the “Town”), is hereby amended to read as follows:

Sec. 12-32.304 Permitted, restricted and prohibited uses.

The following table identifies the permitted, restricted and prohibited uses within the Griffin Corridor District. This district covers a large area regulated by several underlying land use plan designations.

...

USE GROUP/USE	<i>Gateway</i>		<i>Gateway</i>	<i>Griffin</i>	<i>Nodes</i>
	<i>West</i>	<i>Downtown</i>	<i>East</i>	<i>Commerce</i>	
	<i>Zone 1</i>	<i>Zone 2</i>	<i>Zone 3</i>	<i>Zone 4</i>	
RESIDENTIAL USE GROUP*					
Home Occupation	P	P	P	P	P
Residential, Multiple-Family: (5 to 10 du/ac)	P	R(12)	P	<del>N</del> <u>R(12)</u>	R(12)
Residential, Multiple-Family: (10 to 22 du/ac)	N	R(12)	N	N	N
Mixed Res./Commercial Use	R(13)	R(13)	R(13)	<del>N</del> <u>R(13)</u>	R(13)

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007



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ZB(TH) 12.1.05  
06.19

December 19, 2005

Marcie Nolan  
Town of Davie  
6591 Orange Drive  
Davie, FL 33314

**RE: 3-acre parcel located in the Griffin Corridor Commerce District along  
Griffin Road west of the Florida Turnpike and east of 48<sup>th</sup> Avenue  
(Folio No. 504125010420)**

Dear Marcie:

This firm represents Spear and Associates, Inc. ("Spear"), the developer of the property described above. The property is designated Commercial on the Town of Davie land use map and is located in the Griffin Corridor "Commerce District." Spear is proposing a mixed use development plan for the property, which includes office uses and also multifamily residential uses, which are currently prohibited in the Commerce District. As part of our application for site plan approval, we are proposing to amend Section 12-32.304 of the Town's Land Development Code to permit residential uses in the Commerce District. This a request that is consistent with the 441 Charette and will integrate residential uses with the commercial uses presently permitted in the Commerce District. I have prepared a draft ordinance which accomplishes this amendment.

Should you have any questions, please feel free to call me.

Sincerely,

Dennis D. Mele

DDM/NMC  
Enclosure

cc: Jeff Spear

FTL:1614453:1

RUDEN, McCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.

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